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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

CONNER SLEVIN, an individual,

Plaintiff,

vs.

AB HOLLYWOOD, LLC, a limited liability
company,

Defendant.

Case No. 3:23-cv-01404-YY

**DEFENDANT’S FIRST REQUESTS
FOR ADMISSION TO PLAINTIFF**

Pursuant to FRCP 36, defendant AB Hollywood, LLC (hereinafter, “defendant” or “AB Hollywood”) hereby requests that plaintiff Conner Slevin (“plaintiff”) answer the following admissions, under oath, and serve within 30 days on defendant’s counsel.

DEFINITIONS AND INSTRUCTIONS

1. The terms “you,” “your,” and “plaintiff” refer to plaintiff Conner Slevin, his attorneys, agents, representatives, family members, relatives, or any other person or entity

purporting to act on her behalf.

2. The term “defendant” refers to defendant AB Hollywood, LLC, including its agents, representatives, contractors, or any other person or entity purporting to act on defendant’s behalf.

3. The term Complaint refers to plaintiff’s Complaint filed on or about September 26, 2023 with the United States District Court for the District of Oregon (Portland Division).

4. The term Amended Complaint refers to plaintiff’s Amended Complaint filed on or about December 12, 2023 with the United States District Court for the District of Oregon (Portland Division).

5. The term Second Amended Complaint refers to plaintiff’s Second Amended Complaint filed on or about February 2, 2024 with the United States District Court for the District of Oregon (Portland Division).

6. The term “property” shall mean at 4434 NE Sandy Blvd., Portland, OR 97213.

7. The term “person” is defined as any natural person or any business, legal or governmental entity or association.

8. The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

9. The terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.

10. If in responding to these requests, you perceive any ambiguity in construing a specific request, a definition, or an instruction relevant to the request, please indicate what matter is deemed “ambiguous” and the construction you have selected or used in responding to the

request.

REQUEST FOR ADMISSIONS

REQUEST FOR ADMISSION NO. 1: Admit that the photograph you produced in discovery, **attached as Exhibit A**, shows the visible upright signage (displaying the International Symbol of Accessibility) designating a parking space as accessible at the property.

RESPONSE:

REQUEST FOR ADMISSION NO. 2: Admit that the photograph you produced in discovery, **attached as Exhibit A**, was taken by you or on your behalf when you attempted to patronize the property on or about November 2022 as alleged in ¶11 of the Complaint.

RESPONSE:

REQUEST FOR ADMISSION NO. 3: Admit that the visible upright signage visible in the photo, **attached as Exhibit A**, shows the only designated parking sign located on the property.

RESPONSE:

REQUEST FOR ADMISSION NO. 4: Admit that you had possession of the photograph, **attached as Exhibit A**, when you filed the original Complaint, First Amended Complaint, and Second Amended Complaint in this matter.

RESPONSE:

REQUEST FOR ADMISSION NO. 5: Admit that the allegation contained in ¶ 31(i) of the Amended Complaint and ¶31(h) of the Second Amended Complaint, that “the visible upright signage (displaying the International Symbol of Accessibility) designating any parking space as accessible is faded and unintelligible,” referred to the sign visible in the photo, **attached as Exhibit A**.

RESPONSE:

REQUEST FOR ADMISSION NO. 6: Admit that the visible upright signage (displaying the International Symbol of Accessibility) visible in the photograph that you produced in discovery,

attached as Exhibit A, is not faded and not unintelligible.

RESPONSE:

REQUEST FOR ADMISSION NO. 7: Admit that the allegation contained in ¶ 31(i) of the Amended Complaint and ¶31(h) of the Second Amended Complaint, that “the visible upright signage (displaying the International Symbol of Accessibility) designating any parking space as accessible is faded and unintelligible,” contains factual contentions which are contradicted by the photograph evidence which was in your possession at the time you filed the Amended Complaint and the Second Amended Complaint.

RESPONSE:

REQUEST FOR ADMISSION NO. 8: Admit that, when you filed the Amended Complaint and the Second Amended Complaint, you had knowledge and information establishing that the factual contentions contained in ¶ 31(i) of the Amended Complaint and ¶31(h) of the Second Amended Complaint, that “the visible upright signage (displaying the International Symbol of Accessibility) designating any parking space as accessible is faded and unintelligible,” did not have evidentiary support and were contradicted by evidence.

RESPONSE:

REQUEST FOR ADMISSION NO. 9: Admit that a photograph you produced in discovery, **attached as Exhibit B**, shows plaintiff Conner Slevin at the property on or about November 2022 as alleged in ¶11 of the Second Amended Complaint.

RESPONSE:

REQUEST FOR ADMISSION NO. 10: Admit that the ADA violations which you identified in the Second Amended Complaint related to the conditions of the parking lot and curb ramp serving the tenant spaces.

RESPONSE:

REQUEST FOR ADMISSION NO. 11: Admit that a photograph you produced in discovery, **attached as Exhibit B**, shows plaintiff Conner Slevin able to access one of the entrances at the property, having already surmounted the alleged barriers of the parking lot and curb ramp described in ¶31 of the Amended Complaint and Second Amended Complaint.

RESPONSE:

REQUEST FOR ADMISSION NO. 12: Admit that Conner Slevin was able to access and assess all areas of the property which were open to the public when he visited the property on or about November 2022, as alleged in ¶11 of the Second Amended Complaint.

RESPONSE:

REQUEST FOR ADMISSION NO. 13: Admit that the allegation contained in ¶28 of the Complaint and ¶32 of both the Amended Complaint and the Second Amended Complaint, that “Plaintiff was unable to access and assess” the property due to the architectural barriers encountered contains a factual contention which you know to lacked evidentiary support and which was contradicted by evidence.

RESPONSE:

DATED this 29th day of May, 2024

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